



TUL2BUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/632,780 Confirmation No.: 3659
Applicant : M. Philipp
Filed : August 1, 2003
TC/A.U. : 1645
Examiner : R. Zeman
Customer No. : 00270
Title : SURFACE ANTIGENS AND PROTEINS USEFUL IN
COMPOSITIONS FOR THE DIAGNOSIS AND PREVENTION
OF LYME DISEASE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This paper is in timely response to the Office Action dated April 2, 2004. Please enter the enclosed amendments and following remarks.

Specification Amendments are set forth on the attached Second Preliminary Amendment and substitute specification.

Remarks/Arguments are set forth on page 2 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: April 14, 2004
Signature Kelly A. Karstaedt
Name Kelly A. Karstaedt

REMARKS/ARGUMENTS

In the outstanding Office Action the Examiner asserted that the Preliminary Amendment, enclosing a marked-up version of the specification pursuant to 37 CFR 1.125, did not comply with 37 CFR 1.121 (b.1.iii).

In an effort to comply with the requirements of 37 CFR 1.121 (b.1.iii), Applicant has forwarded a Second Preliminary Amendment, marked-up specification, and a clean copy of the specification. Applicant notes that material added is identified by underlining and material deleted is identified by strikeout. Further, the claims as set forth in the substitute specification comply with 37 CFR 1.121 (c).

Applicant respectfully requests that the Examiner consider the Second Preliminary Amendment and revised "Marked Up" and "Clean" versions of the application using underlining to show new matter.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,

HOWSON AND HOWSON
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SECOND PRELIMINARY AMENDMENT

Sir:

Applicant and the undersigned attorney herewith submit a "Clean Copy" of the specification which is provided for publication purposes of the above-identified application as required under 37 CFR § 1.215 (a).

Remarks/Arguments are set forth on page 2 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: April 14, 2004

Signature Kelly A. Karstaedt
Name Kelly A. Karstaedt



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

113

Application Number	10/632,780
Filing Date	August 1, 2003
First Named Inventor	M. Philipp
Art Unit	1645
Examiner Name	R. Zeman

Attorney Docket Number

TUL2BUSA

ENCLOSURES (Check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation
- Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____

Remarks

Customer No. 00270

- After Allowance communication to Technology Center (TC)
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please Identify below):
- 54 pp. Specification with Markings
- 54 pp. Specification without Markings

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name **HOWSON AND HOWSON
Mary E. Bak**

Signature **Mary E. Bak**

Date April 14, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name **Kelly A. Karstaedt**

Signature **Kelly A. Karstaedt**

Date April 14, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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